

**SUPREME COURT MINUTES
FRIDAY, JULY 22, 2005
SAN FRANCISCO, CALIFORNIA**

S134196

GALLANT v. CITY OF CARSON
Time extended to grant or deny review

to August 19, 2005

S015384

PEOPLE v. LETNER & TOBIN
Extensions of time granted (2)

- (1) to September 23, 2005 to file appellant LETNER'S reply brief. After that date, only three further extensions totaling about 150 additional days will be granted. Extension is granted based upon counsel R. Clayton Seaman. Clayton Seaman, Jr.'s representation that he anticipates filing that brief by 2/26/2006.

S015384

- (2) to September 23, 2005 to file appellant TOBIN'S reply brief. After that date, only three further extensions totaling about 150 additional days will be granted. Counsel is ordered to inform his or supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S029843

PEOPLE v. BECK & CRUZ
Extension of time granted

to September 20, 2005 to file appellant CRUZ'S opening brief. After that date, only six further extensions totaling about 340 additional days will be granted. Extension is granted based upon Deputy State Public Defender William T. Lowe's representation that he anticipates filing that brief by 9/1/2006.

S035190

PEOPLE v. HOUSTON (ERIC C.)
Extension of time granted

to September 13, 2005 to file appellant's opening brief. After that date, only six further extensions totaling about 345 additional days

will be granted. Extension is granted based upon counsel David H. Schwartz's representation that he anticipates filing that brief by 9/1/2006.

S046848

PEOPLE v. DALTON (KERRY LYN)

Extension of time granted

to September 30, 2005 to file appellant's opening brief. After that date, only two further extensions totaling about 90 additional days will be granted. Extension is granted based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing that brief by 12/24/2005.

S058734

PEOPLE v. HOLMES, McCLAIN & NEWBORN

Extension of time granted

to September 19, 2005 to file appellant McCLAIN'S opening brief.

S060500

PEOPLE v. D' ARCY (JONATHAN D.)

Extension of time granted

to September 2, 2005 to file appellant's opening brief.

S064733

PEOPLE v. ABEL (JOHN C.)

Extension of time granted

to September 27, 2005 to file appellant's opening brief. After that date, only five further extensions totaling about 300 additional days will be granted. Extension is granted based upon Deputy State Public Defender Kate Johnston's representation that she anticipates filing that brief by 7/2006.

S075725

PEOPLE v. JONES (KIONGOZI)

Extension of time granted

to September 26, 2005 to file appellant's opening brief.

S080054

PEOPLE v. LINTON (DANIEL A.)

Extension of time granted

to September 13, 2005 to file appellant's opening brief.

S086234

PEOPLE v. MILES (JOHNNY D.)

Extension of time granted

to September 27, 2005 to file appellant's opening brief.

S122590

FREEMAN (FRED H.) ON H.C.

Extension of time granted

to August 4, 2005 to file respondent's response to petitioner's motion for the court to take additional evidence.

S124090

C043590 Third Appellate District

PEOPLE v. GARCIA

Extension of time granted

to August 1, 2005 to file appellant's response to amicus curiae brief filed by the California District Attorney's Association.

S124660

RENO ON H.C.

Extension of time granted

to August 19, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only six further extensions totaling about 185 additional days will be granted. Extension is granted based upon counsel Peter Giannini's representation that he anticipates filing that document by 2/20/2006.

S126130

SCOTT (LARRY) ON H.C.
Extension of time granted

to September 24, 2005 to file Attorney General's informal response.

S130080

H026000 Sixth Appellate District

PEOPLE v. TRUJILLO
Extension of time granted

to August 17, 2005 to file Appellant's Opening Brief on the Merits. No further extensions of time are contemplated.

S130342

HALVORSEN (ARTHUR) ON H.C.
Extension of time granted

to August 11, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only four further extensions totaling about 125 additional days are contemplated. Extension is granted based upon counsel Gary D. Sowards's representation that he anticipates filing that document by 12/15/2005.

S130762

HARRISON (CEDRIC) ON H.C.
Extension of time granted

to August 19, 2005 to file the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling about 60 additional days will be granted. Extension is based upon Deputy Attorney General Michael D. O'Reilley's representation that he anticipates filing that document by 10/27/2005.

S132496

A105287 First Appellate District,
Division Three

TROPPEMAN v. GOURLEY
Extension of time granted

to August 15, 2005 for respondent to file the opening brief on the merits. No further extensions of time are contemplated.

S030402

PEOPLE v. TULLY (RICHARD C.)
Order filed

Appellant's application for relief from default for the late filing of appellant's opening brief and application for leave to file oversized opening brief are granted.

S131807

A095918 First Appellate District,
A097793 Division Four

HARRIS v. PRICEWATERHOUSECOOPERS
Order filed

The order filed on June 29, 2005, extending the time is hereby amended to read in its entirety:

"On application of plaintiffs and appellants and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including August 8, 2005."

S135745

LUCAS v. LONG BEACH POLICE DEPARTMENT
Transferred to CA 2

B178696 Second Appellate District

MAL YO YU v. WORLD SAVINGS, et al.
Order filed

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Two to Division One.

B179323 Second Appellate District

O'FLAHERTY v. STEPHEN L. BELGUM
Order filed

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Five.

Bar Misc. 4186

IN THE MATTER OF THE APPLICATION OF
THE COMMITTEE OF BAR EXAMINERS OF
THE STATE BAR OF CALIFORNIA FOR
ADMISSION OF ATTORNEYS

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO
ORIGINAL ORDER)

S112967

NEWCOMER ON DISCIPLINE
Order filed

Due to a clerical error of the State Bar Court, the Order issued on April 16, 2003, in the above-entitled matter, is hereby vacated and is replaced by the following Order which must be filed nunc pro tunc to April 16, 2003:

It is ordered that **MICHAEL SCOTT NEWCOMER, State Bar No. 142913**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. Michael Scott Newcomer is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed October 7, 2002, as modified by its order filed November 26, 2002. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-quarter of said costs must be added to and become part of the membership fees for the years 2004, 2005, 2006 and 2007. (Bus. & Prof. Code section 6086.10.)

S132293

KALLINS ON DISCIPLINE

Recommended discipline imposed

It is ordered that **MAUREEN R. KALLINS, State Bar No. 95038**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that she be placed on probation for three years on condition that she be actually suspended for two years and until respondent pays restitution to Maria Maldonado (or the Client Security Fund, if appropriate) in the amount of \$4,956.00 plus 10% interest per annum accruing from May 11, 1998, to Sabrina Session (or the Client Security Fund, if appropriate) in the amount of \$3,250.00 plus 10% interest per annum accruing from January 16, 2002, to Gaynell Carter-Mays and Tiffany Harris-Sutton (or the Client Security Fund, if appropriate) in the amount of \$13,500.00 plus 10% interest per annum accruing from February 5, 2001, and to Anthony E. Washington (or the Client Security Fund, if appropriate) in the amount of \$143.75 plus 10% interest per annum accruing from September 9, 1997, and provides satisfactory proof thereof to the State Bar's Office of Probation and until she has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed on December 7, 2004, as modified by its order filed on January 28, 2005. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of her actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the

effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S133853

GULLA ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **CAROL RAYE GULLA, State Bar No. 164437**, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S133854

HENDRICKS ON DISCIPLINE

Recommended discipline imposed

It is ordered that **DAVID ROBERT HENDRICKS, State Bar No. 134812**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 24, 2005. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-third of said costs must be added to and become part of the membership fees for the years 2006, 2007 and 2008. (Bus. & Prof. Code section 6086.10.)

S133855

WHITE ON DISCIPLINE

Recommended discipline imposed

It is ordered that **Stanley Zeigler White, State Bar Number 118616**, be suspended from the practice of law in the State of California for one year, that execution of the one-year suspension be stayed, and that he be placed on probation for three years on the conditions of probation, including seventy-five days' actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 30, 2005. White is ordered to take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and to provide satisfactory proof of his passage of that examination to the State Bar's Office of Probation in Los Angeles within that same year. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and must be added to and made a part of White's annual State Bar membership fees for the year 2006. (Bus. & Prof. Code, § 6086.10.)

S133856

ZWICKER ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **KENNETH D. ZWICKER, State Bar No. 116486**, be summarily disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar. *(See Bus. & Prof. Code, § 6126, subd. (c).)